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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/091,567	03/07/2002	Jonathan P. Wong	NEL-006

23353
RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

CONFIRMATION NO. 7851

FORMALITIES LETTER



OC000000008410266

Date Mailed: 07/08/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

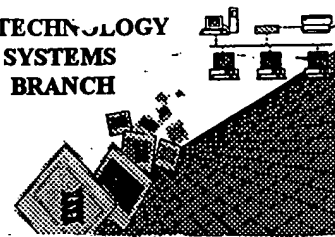
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/091,567
Source: OIPZ
Date Processed by STIC: 6/4/02

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
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FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

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Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

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U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
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Revised 01/29/2002

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Raw Sequence Listing Error Summary

01PE

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 10/091,567

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.



OIPE

Does Not Comply
Corrected Diskette Needed

RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/091,567

DATE: 06/14/2002

TIME: 15:51:35

Input Set: A:\EP.txt

Output Set: N:\CRF3\06142002\J091567.raw

for

3 <110> APPLICANT: The Minister of National Defence
 4 WONG, Jonathan
 5 NAGATA, Leslie
 7 <120> TITLE OF INVENTION: DNA vaccine using liposome-encapsulated plasmid DNA encoding
 8 hemagglutinin protein of influenza virus
 10 <130> FILE REFERENCE: NEL-0006
 12 <140> CURRENT APPLICATION NUMBER: US 10/091,567
 13 <141> CURRENT FILING DATE: 2002-03-07
 15 <160> NUMBER OF SEQ ID NOS: 2
 17 <170> SOFTWARE: PatentIn version 3.1
 19 <210> SEQ ID NO: 1
 20 <211> LENGTH: 40
 21 <212> TYPE: DNA
 22 <213> ORGANISM: Primer — invalid response
 24 <400> SEQUENCE: 1
 25 tatctagaca aaagcagggg aaaagaaaac aaccaaaatg 40
 28 <210> SEQ ID NO: 2
 29 <211> LENGTH: 40
 30 <212> TYPE: DNA
 31 <213> ORGANISM: Primer
 33 <400> SEQUENCE: 2
 34 aagtcatagc ggccgcaagg gtgtttttcc tcatatttct 40

VERIFICATION SUMMARY

PATENT APPLICATION: US/10/091,567

DATE: 06/14/2002

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Input Set : A:\EP.txt

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